

North Carolina Agriculture Cost Share Program Review Summary  
(September 2016)

County	<u>Clay</u>	Date of Previous Review/Report	<u>2006</u>
District Staff Name(s)	<u>Linda Milt, Leanna Statton</u>	Date	<u>9/30/2016</u>
NRCS Staff Name(s)	<u></u>		
Division Representative(s)	<u>Lisa Fine, Davis Ferguson</u>		
Additional Participants	<u></u>		

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments) Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
How/when are the district board meetings scheduled?				X	Board meetings are the first Monday of the month usually unless there is a reason to change the date.		X			
How do you notify the public of the board meeting schedule? Does it adhere to the Open Meetings Law?				X	Notice is posted on the office door and building door when board meetings are held. Newspaper is aware of board meetings and includes it.		X			

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<i>Please describe the district's process for providing assistance to applicants by assessing resource concerns to determine if a BMP is "needed and feasible" and then developing the conservation plan.</i>	X				People come in person, Linda talks to people at community events, at the Friends of Ag breakfast held 5 times a year during the cold months 7:00 a.m. until 9 ish with guest speakers. It is used as outreach especially with farmers speaking, signs on equipment advertising district. Once applicant shows interest Linda makes appointment to go out and assess farm, if needed Chris and Michael Wiggins will go with her for assessment, Linda provides technical assistance without cost share. <b>Commendation:</b> the district is commended for the extra effort of holding the Friends of Ag Breakfasts and using that as a platform to get the word out about the district. Having farmers speak is also a great way to drum up interest in our programs.		X			
<i>In what instances does the district provide technical assistance without cost share funds?</i>				X	The district has provided assistance for flood waters near residences, erosion not near streams, property damage from flooding, erosion causing flooding in neighbor's yard (sediment and erosion control).		X			

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Are applications reviewed and approved by the Board as a separate action item?		X			Linda and Davis state that applications are done as separate action items but the minutes don't necessarily reflect that. <b>Recommendation:</b> the minutes should break out applications and note the motion and decision for application and then contracts.	X		Applications will be reviewed and approved in a separate action item and documented as such in the minutes.	Immediately	Plan of Action accepted.
Are application motions/decisions recorded in the board minutes?				X	Not for applications but it will be from now on. See above recommendation.	X		We will record these as recommended in board minutes.	Immediately	Plan of Action accepted.
Applicants are limited when applying for incentive BMPs. How does your district track applicants so they do not go over the practice caps and to be sure they haven't already "adopted" the practice?  Is your district using the self-certification for incentives form provided by the division?				X	There are not many incentives in this district. Just started talking about cover crop BMP here in this area.  Made district aware of the self-certification form.		X			
If multiple partners farm together, how does the district track individual applicants as one operation or entity?				X	District does not need to track. Linda knows most farmers in this county. District does not use incentives right now. Looking to use cover crop.		X			
At what point in the application process does the district develop the contract? Describe this process.				X	Makes apt with farmer, Linda assesses farm needs, provides TA, if cost share is needed Linda has them come in to apply, Linda goes back out to farm and starts contract.		X			

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Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?				X	Either farmer comes in to office or Linda goes out but they are told early on they can't begin work until division approval and also paperwork says that and she points that out. He has to initial those points. She tells them if the work they do doesn't get signed off on by someone with JAA that they won't get paid.		X			
Describe the district/board's procedure for approving supervisor contracts.				X	Supervisors are treated like everyone else no points added or taken away for being a supervisor. Everyone ranked the same.		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Yes, they are reviewed and approved as separate action items.		X			
<i>Are contract motions/decisions recorded in the board minutes?</i>				X	Yes, it is recorded.		X			
<i>Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?</i>				X	Yes, it is recorded that the supervisor abstained from voting on his own contract.		X			
What procedures do you follow for notifying the applicant that work can begin?		X			Linda calls them when work can begin. <b>Recommendation</b> – the district should consider sending a letter and also including deadlines/timelines. Including the 1/3 date.	X		Written notifications will be sent to applicants including deadlines/timelines and 1/3 dates.	Immediately	Plan of Action accepted.

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What information do you provide the applicant?				X	Copies of the job sheets, contract, standards, maps.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed correctly and by the contract deadline?				X	Linda takes before, during and after picture. Linda has helped install practices and tries to be on sight for installation for parts of the BMPs.		X			
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.		X			The district hasn't been tracking it. <b>Recommendation:</b> add column to spreadsheet with 1/3 date so it is easy to see when contract deadlines is approaching.	X		A column will be added to spread sheet to include the 1/3 rule.	Immediately	Plan of Action accepted.
If 1/3 of the work has not been completed within 12 months and the cooperator requests additional time, is the district recording 6-month extensions in the board minutes?		X			The district has had discussions and given extra time but it has not been recorded and may not be 6 months. <b>Recommendation:</b> the district should approve extensions in a board meeting and record in minutes and use the NC18 form when cancelling.	X		The district will discuss extensions in the board meeting and record in the minutes.	Immediately	Plan of Action accepted but should note that these extensions can be for less than 6 months but not more. One year extensions are granted by the SWCC at the end of the third program year of the contract.


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What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications?		X			Linda measures and takes pictures. Writes on a piece of paper – not necessarily kept in the file. <b>Recommendation:</b> make notes and put in file on measurements of BMPs along with photos. Keep in conservation notes or NC11. Make check out notes.	X		We will include measurements and photos in the file.	Immediately	Plan of Action accepted.
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, Linda measures the BMP before RFP is created. She keeps it on paper then does the RFP. See note above to keep documentation in folder.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes. RFPs are reviewed and approved as separate action items unless signed outside of board meeting. Those signed outside of board meeting should just be noted in the minutes and not voted on.		X			
Are payment motions/decisions recorded in the board minutes?				X	Yes, they are recorded.		X			
<b>Section 2: Spot Checks and Compliance Issues</b> Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										


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Who participates in annual spot checks? When are they conducted?				X	Spot checks are completed in March. NRCS DC, Linda, sometimes Leanna, majority of board attends because it's on day of board meeting.		X			
How does the district randomly select which contracts to spot check?		X			Pick a number out of a hat and then district picks every nth contract. Will pick a different one if someone has been picked for several years in a row. <b>Recommendation:</b> district should still go to someone if you pick them every year.	X		We will randomly select a number and stick with it even if the contract was selected previous year.	Immediately	Plan of Action accepted.
Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWR.				X	Linda does not have any still in that first 5 years. She believes they were done that way back when they had dairies here.		X			
Are all agriculture new ponds, pond repair/retrofits, and water collection systems being spot-checked every year during the maintenance period?				X	Just got their new pond. Did go to it this year. We did go at the time of the review and since then to get pictures.		X			
Are all agriculture road repair/stabilizations being spot-checked at least every 2 years during the maintenance period?				X	None so far but Linda made note to include every 2 years. Have a 2016 that will need spot checked soon.		X			
How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs.		X			Haven't had a NRCS review since Linda has been here. Notified that supervisor contracts should be reviewed within one year of completion. <b>Recommendation:</b> supervisor contracts have not been being checked recently.	X		<b>NOTE:</b> Since Linda has been there the district has had a Partial payment – not fully finished with contract so have not had NRCS Area office review it.	This should start being done as soon as you have a contract in this category.	More information to come later on procedures.


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The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation."  How does your district notify individuals that have destroyed or mismanaged a BMP?		X			Linda called and spoke to farmer for last instance of maintenance of BMP found during spot checks. Farmer fixed it and called Linda back.  <b>Recommendation:</b> a letter should be sent to farmer about maintenance and non-compliance issues. A copy should be sent to the division.	X		A letter will be sent to farmer about maintenance and non-compliance issues. A copy will be sent to the division.	Immediately	Plan of Action accepted.
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	During board meetings		X			
Does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept in the contract file?				X	Linda has had only one instance of maintenance being needed since she has been here. See above recommendation.		X			
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	Farmer called Linda and said he fixed the only one she has had and she went out to document that it was repaired and it is still being maintained.		X			
Is the district notifying the division of non-compliance and resolutions?				X	The district has notified the division of past non-compliance issues and resolutions.		X			
<b>Section 3: Record Keeping</b> Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										






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How does the district track BMP funds?	X				District has a spreadsheet that they use to track funds. Color coded. <b>Commendation:</b> the districts color-coded spreadsheet system helps the staff keep track of money and records easily.		X			
In what instances does the district use the division on-line (website & CS <sup>2</sup> ) reports?				X	It is used for the BMP certification form. Told Linda about checking if I processed a RFP for her. Use for Annual Report Area 1 uses for District of Year contest.		X			
How are technical assistance and operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	Audited by the county. District has their own accounts. District does internal audit as well and notarized. County may stop doing the internal audit due to cost. District will do their own internal audit. Keep their TA money and district reimburses county for TA. Vehicles insured through county. Operating funds are kept in district.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	Linda Milt		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	District does their own tracking and checkbook for matching funds. Shawn Long does the audit annually. Last audited in September 2016.		X			

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Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA.				X	Yes, I reviewed Linda's JAA.		X			
<b>Section 4: Contract Reviews and Site Visits</b> Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										
Contract Number: 22-2007-005 Applicant Name: Robert Moore BMP: well, fence, tanks 				X	No concerns with file. No concerns with BMP.		X			
Contract Number: 22-2014-803 Applicant Name: Kay Covode BMP: baseflow interceptor				X	No concerns with file. No concerns with BMPs.		X			


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Contract Number: 22-2010-001 Applicant Name: Brett Woody BMP: heavy use area protection  <i>Insert Picture</i>				X	No concerns with file.  No concerns with BMP.		X			
Contract Number: 22-2009-007 Applicant Name: Anthony Ledford BMP: Grassed waterway		X			No concerns with file.  <b><u>Recommendation:</u></b> 1 <sup>st</sup> grassed waterway needs maintenance for bare spots. 2 <sup>nd</sup> waterway on one end needs replanting and reshaping.	X		A letter will be sent to farmer to recommend reseeding the grass waterway.	Immediately. Reshaping and reseeding is required.	District should send copy of letter to the division cost share specialist. Follow-up on status of this repair should be sent to the division as well.

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Contract Number: 22-2015-801/(s) 22-2016-802 Applicant Name: Salvador Moreno BMP: microirrigation					X	No concerns with file.  No concerns with BMP.		X			

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Contract Number: 22-2015-501 Applicant Name: Clay County Courthouse BMP: stormwater wetland 				X	No concerns with file.  No concerns with BMP.		X			

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Contract Number: 22-2011-003 Applicant Name: Lee Anderson BMP: pasture renovation  				X	No concerns with file.  No concerns with BMP.		X			
Contract Number: 22-2014-801 Applicant Name: Charles Kissling BMP: Agriculture water supply pond		X			No concerns with file.  Pond should be checked once it's holding water to make sure sides are not eroding. Hard to tell now if it will hold up since it does not have water in it. Some areas around the depression look unstable. <b>Recommendation:</b> district should check again when pond is filled with water to make sure it will hold.	X		The district staff will check the pond to make certain it is holding water.	Immediately	Plan of Action accepted.  Follow-up was completed. Appears some work is still needed to stabilize this pond especially on the banks.



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										Will recheck later in the spring/summer and report to the division on the pond at that time.